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IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION NO. 3065 /2003

PETITIONER

Asgar Ali S/o Syed Zakir Ali aged about 45yrs, R/o Zakir House Lormi P.S. Distt-Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary Home Department, D.K.S. Bhawan, Raipur (C.G.)
2. Director General of Police, Raipur (C.G.)
3. Superintendent of Police Bilaspur (C.G.)
4. Sub Divisional Officer Police, P.S.-Kota (C.G.)
5. Prakhar Pandey (S.D.O.P) Kota Police Station
6. Officer Incharge P.S. Lormi Dist-Bilaspur (C.G.)

P. R. No. 2913/03 Tilgs.
Presented by Shri P.S. Tilgs.
dated 29/09/03

RECEIVED COPY.
29/9/03
CLERK TO A.G. BILASPUR

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA IN THE NATURE OF MANDAMUS AND CERTIORARI.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 3065/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

05.11.2003

Smt. Hamida Siddique, counsel for the petitioner.

Shri Praveen Das, Panel Lawyer for the State/respondents.

Heard both the counsel.

The main grievance of the petitioner is that on the complaint of the petitioner on 16.08.2002, crime No.108/2002 for the offences punishable under Sections 504, 296, 153 and 355 of the I.P.C. has been registered in Police Station: Lormi against two police officers, but till date the investigation has not been completed and report has not been submitted to the concerned Court. Therefore, a writ in the nature of mandamus may be issued and the respondents be directed to file the charge sheet before the competent Court. It has further been mentioned that no ~~further~~ alternative efficacious remedy is left with the petitioner but to approach this Court by way of filing the present petition.

It is not correct that the petitioner has no other alternative efficacious remedy available because, under the Code of Criminal Procedure the petitioner is entitled to file a complaint before the concerned Judicial Magistrate under Section 200 of the Cr.P.C. and the concerned Magistrate after following the procedure as envisaged in the Cr.P.C. can proceed with the matter. Therefore, I do not find any substance in this writ petition, as alternative remedy is available to the

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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आदेश पत्रक

मामला क्रमांक W.P.3065/ सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	petitioner. The petition is therefore, liable to be rejected and it is accordingly, rejected. In view of this order, I.A.No.9093/2003 stands disposed of. Sd/- L.C.BHADOO Judge	

Soma